

1:08CR54

Respondent.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

On July 25, 2008, Petitioner filed a document entitled “Petition for Writ of Error Coram Nobis or, in the alternative, Petition for Writ of Habeas Corpus” in criminal case number 3:97CR304. On October 9, 2009, this Court refiled this document as a Motion to Vacate, Set Aside, or Correct Sentence and gave it the above-referenced civil number. A review of the criminal file in a related criminal case, 1:08CR54, reveals that in an Order dated August 21, 2008, this Court considered and dismissed Petitioner’s “Petition for Writ of Error Coram Nobis or, in the alternative, Petition for Writ of Habeas Corpus.” (1:08CR54: Doc. No. 14.) Consequently, as this Petition has already been ruled upon, the above-referenced civil case was opened in error.

THEREFORE, IT IS HEREBY ORDERED that case number 3:09cv437 shall be
administratively closed.

Signed: October 21, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

